

# The Commonwealth of Massachusetts

## ANNUAL REPORT

OF THE

### Trustees of the Massachusetts; State Library

FOR THE

Year Ending November 30, 1926



# TRUSTEES OF THE STATE LIBRARY

NOVEMBER 30, 1926

NATHAN MATTHEWS, *Chairman*.

Appointed June 1, 1926

Term expires June 1, 1929

WELLINGTON WELLS, *Ex officio*.  
President of the Senate.

JOHN C. HULL, *Ex officio*.  
Speaker of the House.

CHARLES T. COPELAND.  
Appointed June 25, 1924.  
Term expires June 25, 1927.

CHARLES H. TAYLOR.  
Appointed June 10, 1925.  
Term expires June 10, 1928.

## OFFICERS OF THE LIBRARY

EDWARD H. REDSTONE.....	<i>Librarian.</i>
MRS. ANNIE G. HOPKINS.....	<i>Assistant Librarian.</i>
MISS JENNIE W. FOSTER.....	<i>First Assistant.</i>
MISS SARA E. NOYES.....	} <i>Assistants.</i>
MISS JESSIE L. KNOWLTON.....	
MISS RUTH G. HEDDEN.....	
MISS MINNIE W. PERT.....	
MRS. EMILY S. BURR.....	
MISS ELIZABETH RICHARDSON.....	} <i>Legislative Reference Assistant.</i>
MISS GRACE E. DORMAN.....	
MRS. ROSE W. CLEVELAND.....	
MISS ETHEL B. LEWIS.....	
MISS ETHEL M. TURNER.....	
MRS. FRANCES R. COE.....	} <i>Chief of the Catalog Department.</i>
MISS LUCILE E. SARGENT.....	
MISS HARRIET E. ROBINSON.....	
MRS. ALVESTA C. DOUGLAS.....	
MISS CLARISSA J. HOLMES.....	
MISS MARGARET A. DULLEA.....	} <i>Assistants, Catalog Department.</i>
CHARLES W. JOHNSON.....	
GEORGE D. ZIMMER.....	
ABRAHAM GLICHOUSE.....	
	<i>Stack Custodian.</i>
	<i>Assistant, Newspaper Department.</i>
	<i>Clerk.</i>

## TRUSTEES' REPORT

The Trustees of the State Library make this their eleventh annual report for the year ending November 30, 1926, under the provisions of chapter 6, section 37 of the General Laws.

Hon. Nathan Matthews was reappointed a Trustee by Governor Fuller for a term of three years from June 1, 1926.

The report this year contains the proceedings of the one hundredth anniversary of the founding of the State Library, March 3, 1826.

We recommend the amendment of section 35, chapter 6 of the General Laws, and the substitution of the proposed act submitted to the General Court: "An Act establishing the salary of the State Librarian."

In the year One Thousand Nine Hundred and Twenty-seven.

An Act establishing the salary of the State Librarian.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

Section thirty-five of chapter six of the General Laws is hereby amended by striking out, in the second line, the word "five" and inserting in place thereof the word "six" so as to read as follows:—*Section 35.* The governor, with the advice and consent of the council, shall appoint a librarian of the state library, at a salary of six thousand dollars, who shall hold office during their pleasure.

NATHAN MATTHEWS, *Chairman*,  
WELLINGTON WELLS,  
JOHN C. HULL,  
CHARLES T. COPELAND,  
CHARLES H. TAYLOR.

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**PROCEEDINGS OF THE ONE HUNDREDTH ANNIVERSARY OF THE  
FOUNDING OF THE STATE LIBRARY**

March 3, 1926.

At two minutes before three o'clock the Senate and House assembled in joint session in the House of Representatives for the purpose of observing the one hundredth anniversary of the founding of the State Library.

Hon. Wellington Wells, President of the Senate, presided over the Convention and directed the Sergeant-at-Arms to inform the Governor, the Lieutenant Governor, the Honorable Council and invited guests that the two branches of the General Court were in convention and to request their presence.

Soon afterward the Governor, accompanied by certain members of the Council, the State Librarian and other guests, came in.

**PRESIDENT WELLS:**

"It is truly an important occasion when a great Commonwealth sets aside a day to commemorate the one hundredth anniversary of the founding of its State Library,—especially when that library is universally recognized as having been of great service and value in the development of an enterprising and enlightened population. So today Massachusetts is to be congratulated that, during a century marked by the perils and vicissitudes of civil and foreign wars as well as by periods of prosperity and peace, she has been building up a collection of public and private documents that is of the utmost value to all students of law and history within her boundaries.

"With a sincerity of purpose and a far greater judgment and foresight than they themselves realized, our Forefathers laid the foundations of this institution which has grown and developed until today it is one of the most valuable state libraries in this country. Housed as it is in this building, it is the center of an exceptional group of University and special libraries which together contain more than six million volumes and include some of the most valuable book collections in existence.

"It is a just cause then for pardonable pride that the institution thus committed to our keeping belongs solely to the State, and as the property of its citizens it has the distinctive characteristic of reflecting its deeper and more stable interests. Every one of its specialized departments—history, political science, biography, education, social science and law—has contributed to the assembling of its archives, and all the other states in the Union as well as countries abroad have aided in its upbuilding.

"It is a matter of prime necessity if the present social and political unrest of the country is to result in permanent good, that the minds of its citizens be guided into action marked by knowledge, sanity and restraint. As a guide for such continuous intellectual growth, nothing is of greater importance in our history than the counsel of the past as revealed in its records. For here are preserved the recorded hopes and aspirations of the great men and women who have left behind them their spirit of sacrifice and of service to warn, direct and guide us.

"Thus it is a matter of considerable pride to our Commonwealth that the files of periodicals, debates, current events, proclamations and other valuable historical information here assembled have, for many years, stimulated and refreshed those seeking either legal or historical information.

"In the same spirit with which this library was launched by the founders of the republic and in which this heritage was transmitted to our keeping, we should build and preserve it for the coming generations, that it may continue to promote the lasting welfare of the state by stimulating and inspiring the citizenship of a grateful Commonwealth."

President Wells presented His Excellency Alvan T. Fuller.

Gov. FULLER: "Mr. President, Members of the Legislature, Board of Library Trustees, Citizens: We observe today in this capital of Massachusetts the one hundredth anniversary of the State Library of our Commonwealth. We note here not merely the passage of one hundred years, important as that may be, but we further note the progressive spirit of the fathers in establishing a State Library so early in the history of Massachusetts.

"A library is a splendid institution. When Andrew Carnegie was a youth in



Pittsburgh, he and a few other ambitious boys gained the friendship of one Colonel Anderson, who had a small library of 400 books. Saturdays, when young Andy had some hours to himself, he browsed at will among the Anderson books and learned a great deal that was useful and helpful to his career.

"All the world knows the story. The Carnegie libraries, scattered by hundreds and indeed thousands all over the civilized world, are the fruit of Colonel Anderson's kindness to a boy. The wonderful stripling, marked even then by his elders as one who would go far, never forgot what a few books did for him. He felt that books, dispersed over the globe, might here and there come into the hands of some such genius as himself. Even one special brain, so nourished at the right time, might by its later service to man repay all the millions lavished upon the entire chain of libraries. In what land this future prodigy might live, what his race, his parentage, his peculiar bent, Carnegie did not know. He only felt sure that the unborn Columbus, Louis Pasteur, Lavater, Hume, Darwin would be poor. So he spread his book-net world wide to catch him.

"I don't say that Andrew Carnegie at any time formally expressed this intention. The given, and accepted, purpose was to place good reading within the reach of many. It is doing so. But who can doubt that a plan originating in the knowledge of the help it gave to one highly exceptional intellect was secretly meant to do exactly the same thing again?

"On the shelves of a library in countless volumes, we may find the recorded history of civilization. The splendid deeds of valiant men, the rise and fall of governments, the gradual enactment of legislation giving, through the centuries, greater liberties and more even-handed justice to all; the romances and tragedies that have engaged the attention of mankind throughout the years are here recorded and from this vast storehouse of knowledge we may perceive in almost endless succession, men who, as Omar Khayyam so well put it, '*Abode their destined Hour and went their way.*'

"Massachusetts has been fortunate in its selection of those who have been given the custody and care of this branch of its public service. May it continue to have the services of such men and women in the years to come. I congratulate the Commonwealth in its possession of this fine institution for public instruction. Its collection of books is one of the best in the world, filling as it does over twelve miles of shelves. Its most priceless possession is the manuscript of 'Bradford's History,' and there are other treasures which Massachusetts will always cherish for their great historical value and their influence in shaping the ideals and destiny of our Commonwealth."

Mr. Wells introduced Mr. Charles H. Taylor, who, in the absence of Hon. Nathan Matthews, chairman of the Board of Trustees, gave a sketch of the growth and scope of the Library.

MR. TAYLOR: "The State Library had its origin in a resolve of the General Court passed February 16, 1811, directing the Secretary of the Commonwealth to arrange for a 'present and future annual exchange of Statutes for the use of the executive and legislative departments.'

"The results of this resolve were more extensive and important than the Legislature probably anticipated; among them that system of exchange which now exists between each individual State and every other State. The large number of State publications which were received under the resolve, and their accumulation in the different offices and legislative halls of the State House, soon created a necessity for collecting and arranging them in one apartment, placing them under proper management, and thus creating the germ of a future library. It was thus that the State Library originated, and was, sooner or later, to be followed by the establishment of similar libraries in all the other States.

"In 1826 a committee of three members of the Legislature was appointed 'to inquire into the expediency of establishing a library for use of the Legislature,' and, if expedient, where the same should be kept and under what regulations. This committee reported that they found four or five hundred volumes 'under the care of no particular person . . . that in the Land Office there are one hundred and twenty-one volumes of valuable books . . . which appear to have been the commencement of a library some years hence'; that they were 'of opinion, that for safekeeping, as well as for the accommodation of members of the Legislature,

it is desirable, that the several parcels of books, journals, and papers, belonging to the two Houses, should be deposited in the Land Office, etc.'

"March 3, 1826, the General Court passed 'An Act relating to a library for the general court.' This act provided that all the books and maps belonging to the Commonwealth and in the State House (with certain exceptions of books in the Senate Chamber, the House of Representatives and the department of the Secretary) should be collected, deposited and arranged in proper cases in the room usually called the land office, and placed under the care of the land agent. It then provided that the books retained in the Senate, the House and the office of the Secretary should be catalogued, and the catalogue duly certified to the land agent, to be preserved in his office. For the management of the library, it was provided that there should annually be appointed a joint standing committee of three persons elected by each branch of the Legislature, to be called a committee of the library, who should superintend the library, use the funds appropriated by the act in procuring books, maps and charts, procure a suitable person to take charge of the library during the sitting of the Legislature, and see that the room in which the same was kept was at all times properly warmed and lighted and prepared 'for the accommodation of the Legislature and such other offices of the government of this Commonwealth as may from time to time be permitted to use the same,' and make rules for the regulation of the library. Finally the act appropriated, for the purpose of procuring suitable cases in which the books were to be placed, \$200, and the further sum of \$300 annually for ten years, to procure 'such books, maps and charts, works of science and the arts, as may in the judgment of said committee tend to illustrate the resources and means of internal improvement of this Commonwealth and of the United States.'

"In 1836 the laws of the Commonwealth were codified under the name of Revised Statutes, and in chapter 11, entitled 'Of the public buildings and other property,' were contained four sections with regard to the State Library. Section 9 provided that 'There shall be a State Library kept in the State House for the use of the Governor, Lieutenant Governor, the Council, the Senate, the House of Representatives, and such officers of the Government and other persons as may from time to time be permitted to use the same.'

"In 1860 the legislation with regard to the State Library was codified in the General Statutes as sections 1 to 8 inclusive of chapter 5, entitled 'Of the State Library and other Public Property.' Section 1 simply re-enacted the provision of section 9 of the Revised Statutes, as to the scope and purpose of the library. The remaining sections codified the law up to that time, fixed the salary of the assistant librarian and clerk of the Board of Education at \$1,500, and appropriated a sum not to exceed \$500 for the accommodation of visitors and protection and care of the library. Section 7 made an annual appropriation of \$2,300, to be expended for books, maps and charts, and works which the trustees and librarian might deem most useful, and binding and keeping in condition the books, and purchasing furniture and other necessary conveniences.

"In 1882 the laws of the Commonwealth were again codified as the Public Statutes of Massachusetts, and in this codification the provisions as to the State Library were 12 to 21, inclusive, of chapter 5, 'Of the State House, the Sergeant-at-Arms and the State Library.' Section 14 was a re-enactment of the acts of 1836 and 1860 as to the scope and purpose of the library, and the other sections substantially codified the then existing law.

"In 1902 the Statutes of the Commonwealth were again codified under the title of the Revised Laws. The provisions as to the library are contained in chapter 10 which is, 'Of the State House, the Sergeant-at-Arms and the State Library.' Here again section 29 re-enacts the provisions of the Revised Statutes of 1836, the General Statutes of 1860, and Public Statutes of 1882, as to the scope and purpose of the library in the following terms:—'There shall be a state library in the state house which shall be kept open every day except Sundays and legal holidays for the use of the governor, the lieutenant governor, council, general court and such officers of the government and other persons as may be permitted to use it.'

"Such is the scope and the purpose of the State Library as defined by the General Court during the past century. Of course as the library has increased, the persons permitted to use it have increased. In fact, the main portion of it has come



to be used by everybody who desires to and conforms to the regulations for its use. The four rooms at the west end are the only rooms which are specifically set apart for the use of the Legislature as legislative reference rooms. Such help as the librarian and his assistants may give to these other persons who are permitted to use the library is necessarily subordinate to the assistance they give to the members of the General Court and the State officers; and the purchases of books by the trustees are primarily such as will aid the Legislature and government officers in the discharge of their duties."

Mr. Wells presented Dr. Roscoe Pound, Dean of the Law School of Harvard University, who delivered the following address:

### THE STATE LIBRARY IN MODERN SOCIETY

Lord Roseberry referred to a library as a cemetery for dead books. Such it may easily be or may easily become. Yet it may be also that the lifelessness is not in the library, but in those who suffer it to remain no more than a repository for the storage of books to be viewed in mass from time to time by the curious, or browsed in by learned idlers, or consulted here and there by pedants. A library may be merely a collection of books to gratify instincts of acquisitiveness and of display—a form of that conspicuous waste which ministers to the desire for recognition and manifested superiority. More than one library of antiquity, more than one library gathered by prince or king or state, and more than one great private library of modern times, may have owed its origin to these instincts. Again, a library may be a place of recreation for the public. It may be a sort of intellectual park or playground. Undoubtedly municipal libraries today have some such function; and it is a useful function. With such libraries we have no concern. Since the epoch-making work of Dr. McCarthy at Wisconsin, we have come to realize the possibilities and the importance of another type of library—the library which is a workshop, or better a laboratory, wherein to shape the materials and carry on the studies required for the tasks of administration and legislation in the complex society of today.

Civilization involves a mastery over nature, both external nature and internal nature whereby we are enabled to develop human powers to their highest possible unfolding. It involves an increasing interdependence through specialized effort and division of labor. Thus it rests upon social control of individual action to the end that specialized effort may go forward in security, and the division of labor may proceed unhampered. In a developed society that social control is itself differentiated and specialized, and we get elaborate and complex systems of law, highly organized lawmaking machinery, and complicated judicial and administrative machinery to provide and enforce the precepts of the legal order on which the social and economic order have come to depend.

Our task is both to maintain and to further civilization. Hence, we have to make both for stability and for progress. We have to maintain what has come down to us, to add to it and improve it, and to transmit it so improved to those who come after us. As social conditions change, as the economic order moves forward, we have to express that progress in the law. The traditional legal materials register the social progress of the past; and we seek to formulate the social progress of the present in lawmaking, as a condition of maintaining it. Such a task requires preparedness; and the State Library is a large factor in any plan of preparedness for the social and legal problems of modern society.

Men have sought to meet the tasks of what one might call social engineering in four ways. The first is the method of authority. The social and legal order as men find it is taken to rest upon authority. The laws are gifts of the gods or commands of the gods. Or, legal and political institutions were devised and legal precepts were prescribed by the wise men of old, and are to stand fast forever on the authority of their wisdom. Or, the social organization, legal and political institutions, and legal precepts are regarded as of immemorial antiquity, sanctified by long observance and resting on an unchallengeable basis of custom. When men think thus, the most that seems allowable is to interpret or to develop logical consequences. Lawmaking takes the form of fiction. New precepts are introduced surreptitiously by interpretation, by so-called correction of the sacred text, or by declaration that the new is immemorially old.

A second method is the method of pure reason. In reaction from the faith of the Middle Ages in authority, a boundless faith in pure reason came in with the Renaissance. Men expected miracles of sheer reason. Law, legal and political institutions, legal precepts were but embodied reason. They derived their authority from their intrinsic reason. All that was needed for lawmaking was to draft into service the most powerful reasons in the community and instruct them to exercise their reasons and put the product in the form of chapter and verse of the written law. This mode of thought was at its height in the seventeenth and eighteenth centuries. In the eighteenth century it was believed confidently that by an effort of pure reason jurists could make a code good for all men, in all places, at all times.

There are three reasons for persistence of this pure rationalism in American legislation. One is that it was the mode of thought that prevailed when true legislation began, and in consequence has ruled the science of legislation from its beginnings. For let us not forget that legislation is a thoroughly modern process. As has been said, the first lawmaking was achieved by means of fiction, at a time when men believed that law could not be made consciously. Long after men began to make law deliberately, they did so under a fiction, and to some extent under a belief that they were but ascertaining and declaring custom. After they became aware that they were making law rather than finding and declaring it, for a long time they proceeded cautiously, selecting from competing rules, harmonizing and adjusting precepts to each other, abrogating and amending here and there, but making little. It was not till 1688 that Parliament became supreme in England. Colonial legislatures began to assert themselves in the eighteenth century. In the last quarter of the eighteenth century the Declaration of Independence set free thirteen sovereign legislatures to make law freely. Bentham's activity in the science of legislation begins that same year. But this was at the zenith of the age of reason. Men were to reason as to what utility demanded and were to express that reason in codes and statutes. Thus a second cause of the persistence of rationalism in American legislation is that this was the theory of lawmaking when our institutions were formative.

A third reason is to be found in the simple conditions of pioneer America. Versatility was a necessary quality of the pioneer. It was a part of his enforced self-sufficiency. Unless he was equal to everything which an independent life required, he failed. If he could not do for himself whatever was to be done, he must die or return ignominiously whence he came. His social and political and legal problems were simple. His common sense, his versatility and his inventive resource proved quite equal to them. The theory of legislation as a mere exercise of reason gave him confidence. No one can deny that his confidence and inventive resource enabled him to do great things. The Constitution of the United States and the state and federal laws of the legislative reform movement of the end of the eighteenth and early part of the nineteenth centuries, are standing witnesses to the efficacy of intelligent effort. On the other hand, as the country expanded, as economic development went forward, as society became continually more complex and required higher and higher specialization and division of labor, the efficacy of effort proceeding only on common sense and natural reason, relying on pioneer versatility and directed only by good intentions, became less and less. Maine tells us that the capital fact in the mechanism of modern states is the energy of legislatures. But the conspicuous fact in recent political thought throughout the world is lack of confidence in legislation. This reaction is an inevitable result of application of the rationalist method in the complex society of today.

Early in the nineteenth century, by way of protest against the institutional waste and paper constitutions of the era of the French Revolution, men turned from reason to experience, and historical method superseded rationalism in legal and political thought. Rationalism had been scornful of experience and of history as a record of experience. What men had done in the past showed us no more than their imperfect reasonings and their attempts to put those imperfect reasonings into the form of institutions and doctrines and precepts. The only lessons to be learned from history were lessons that our reasons could teach us quite as well. When men saw before them the results of such thinking in the political excesses and legal extravagances of the French Revolution, they began to throw over reason and to enthrone experience, interpreted by history, in its place. Thus we acquired the



mode of thought that became dominant in the legal science of the last generation—the idea that law cannot be made, it can only be found; the idea of the futility of conscious effort at improvement; the idea that laws and institutions must and can only grow and that he who seeks to do more than discover and plot the orbit of growth seeks vainly to do what cannot be done.

No one believes less than I in the doctrine of salvation by blundering and naïve trust that social and legal problems will solve themselves, which this mode of thought involves. But it was a needed corrective of the excessive faith in pure reason that went before it and we need not wonder that it has become widespread among the public at large in view of recent experiments in rationalist lawmaking and rationalist overhauling of political and economic institutions in Russia. We need to bear in mind when we berate the lawyer for his obstinate skepticism as to the efficacy of effort, that, except as an act of omnipotence, creation is not a making of something out of nothing. We must work with the materials of the past, giving them shape with the ideas of the present to the needs of the present. But what we succeed in doing with those ideas to meet those needs will depend largely or even chiefly upon the materials with which we work, and the materials are given by the past and are given independently of reason. The lawyer perceives quickly that much of which we complain in the administration of justice in our large cities of today results from disregard of history and confident reliance on pure reason and on pioneer versatility in the formative period of American institutions.

We cannot throw over wholly any of these methods of the past. Authority, reason, and experience have each their place. In a busy, crowded, hurried world, which cannot stop to investigate everything at the crisis of action, much must be left to authority—but authority must be tempered by reason. In all our constructive work of social engineering we must rely on reason—but reason must proceed on the basis of experience. We must draw on experience to save us from repetition of fruitless experiments, to give us an assured basis for reasoning, to tell us what we may reasonably hope to achieve by conscious institution-making and conscious lawmaking, and where we must turn to other agencies of social control in preference to the law. Above all, experience must temper the method of reason as the method of reason tempers that of authority. The method of the present ought to be one of reason on the basis of experience. There are many signs that the juristic pessimism of the immediate past is being given up; that lawyers are coming to believe once more that they can do things, and are becoming conscious that the alternative is likely to be an outbreak of rationalist activity in which the legislative steamroller will flatten out good and bad alike in its destructive course towards the ends which public opinion demands.

Revived faith in the efficacy of effort is demanded. But in order to achieve enduring results it must be intelligent effort, scientifically directed and employed upon carefully chosen materials. In a pioneer era, retired army officers with some training in military engineering might be the engineers of the beginning of our railway systems. In such an era we could rely upon apprentice-trained or spontaneously evolved lawyers and physicians and on volunteer generals. Today the pioneer versatility is failing us. The medical profession has shaken off the yoke of the pioneer and has done wonders for the public health through specialization and scientific research. In the last war we gave over the idea that governed in the Civil War. We have ceased to send civilians into the field with commissions to command army corps and divisions and brigades on the strength of their natural powers of leadership. No one now believes in lay engineering or lay medicine; and we smile at the lay economics and lay finance of the organized farmers of our western states. But what greater ground have we for faith in the efficacy of well meant lay tinkering in the domain of law? Here also there is a scientifically organized body of experience. Here also there is abundant experience of what has achieved its purpose and what has failed of effect. Here also there are many things, known to the expert but not manifest upon the surface, which must be reckoned with in all constructive activity.

I am not one of those who disbelieve in legislative lawmaking. It is idle to de-claim against it. Legislation is the type of lawmaking of the maturity of law. It is the type most immediately and most completely responsive to public opinion. Those who are inclined to scoff at it should remember that legislation solved the



problem of provision for industrial accidents when judicial decision had failed; and that the exigencies of modern business preclude waiting for a slow process of judicial inclusion and exclusion to work out legal conceptions for many a settled practice of modern manufacturing and marketing. Just as the high-powered motor vehicles of today require us to mark out the middle of the road upon the pavement and to mark out zones of safety and street crossings and turns, so the high-pressure operations of modern business require lines to be laid out and permissible courses of conduct to be indicated in advance. Even more the multiplication of mechanical devices, with high potential menace to the general security, requires us to develop legal and administrative machinery no less effective to maintain the general security, and to do so as speedily as we may.

Two governmental agencies are available to meet the needs of our transition from a rural agricultural society to an urban industrial society. These are legislation and administration. Whether we do things through the one or through the other, we must be prepared to do them. To use a military analogy, we have been in a state of unpreparedness; and it has been no one's duty to keep us legally prepared. We have had no legal intelligence department; no legal aerial scouting service; no legal siege trains prepared in advance; no preparation for any considerable drain upon our legal munitions. It has been no one's duty to keep an eye upon the legal system as a whole and on all its parts to see what is working well and what is not, to study the why in either case, and thus to provide suitable data for legislation and administration. In legal matters, state and nation alike have no general staff. When a legal emergency confronts us, we must draw men from other work for temporary service at the expense of their real tasks. Our executive departments of justice are prosecuting departments. Our judicial departments are a hierarchy of separate tribunals each with its own jurisdiction. For the most part the conception of a court as a bureau of justice has made little headway. Our legislative judiciary committees are compelled by the mere pressure of work, if for no other reason, to be little more than sifting agencies.

If we think of the administration of justice in terms of the military art as a social objective, we can no more attain this objective with the judicial armament and administrative methods inherited from seventeenth-century England and shaped in the rural agricultural communities of the nineteenth century than we may expect to conduct a military campaign today with the mule trains and the commissariat arrangements of the Civil War. We need urgently something in the nature of a ministry of justice charged with the duty of active and continuous effort to make the law effective for its purpose—just as the courts are charged with the duty of effective administration of the law when provided. The legislature will do the final sifting and provide the sanction. But some one must do the preliminary study; must perceive the leaks to be stopped; must discover the anomalies to be pruned away; must find directly the advantageous practices to be extended, the conflicts to be abated, the inconsistencies to be reconciled, the overlappings to be adjusted, and the responsibilities to be imposed. So long as this is everybody's business, it is nobody's business. So much of the pressure for legislation comes from selfish motives, that one who essays a real improvement out of pure public spirit is not unlikely to be met with suspicion. Yet as things are, most of what has been done has come about through such volunteers.

Massachusetts has made one notable step in the true direction in the setting up of the Judicial Council. And we are met today to celebrate the anniversary of another institution fraught with great possibilities for legal preparedness. When we prepare for war against injustice and wrong-doing, as we prepare for military and naval warfare, the State Library must be at the very foundation of our system. Here will be the reports, the documents, the statistics, the treatises, the recorded, digested and interpreted experience on which the legal general staff must act. Whether there is a formal ministry of justice, as in Continental lands, or whether other bodies such as the judicial council develop, and the powers of these bodies evolve so as to make of them in substance a ministry of justice, or whether, while such things are coming, we still rely upon zealous, public-spirited volunteers, we have in a properly maintained, properly equipped, properly conducted State Library a first condition of our tasks. We have already a first item in our program of preparedness. May this institution, intelligently fostered, generously maintained

and wisely conducted, be put to the uses for the public service of which a great library is capable. May it do such service, in the hands of well organized and competent agencies of legal preparedness, as to be rated deservedly among the chiefest instruments in the Commonwealth for the advancement of justice—and justice is the first interest of men upon earth.

## LIBRARIAN'S REPORT

### *To the Board of Trustees:*

I have the honor to submit the following report of the work done in the Massachusetts State Library for the year ending November 30, 1926.

The full value and usefulness of a library can be realized only if it not merely collects and preserves books, but also takes adequate steps to get them fully used; to attract the legislator and state official in increasing numbers, and to assist readers in the thorough and systematic exploitation of its resources, and to render all the necessary materials, whether they be in the form of books or in the form of periodicals, available for the research workers who are slowly but steadily pushing forward the bounds of different branches of knowledge.

During the year this ideal has been steadily kept in view. The library has become a busy place and we hope that the service rendered by the staff has been appreciated by those who have had occasion to use it.

A few years ago I called attention to the proper protection of the books in the library from fire. In a recent address before the American Historical Association in Rochester, N. Y., Dr. Alexander C. Flick, State Historian, called attention to the present New York laws for the protection of state and local records, but declared that conditions are still far from ideal. It was in the year 1911 that the New York state capitol was destroyed by fire and over 300,000 manuscripts and 500,000 books were totally destroyed, and within the past few weeks a fire in the town of Amherst destroyed its public library and most of its contents. I hope that proper precaution will be taken in the protection of the priceless manuscripts and documents in our library.

During the year ending November 30, 1926, the number of books and pamphlets purchased for the library was 2,028, the number received by gift 5,285, by exchange 3,666, making the total number of accessions 10,979. The total number of volumes bound during the year was 1,046.

Exchanges have been carried on with the various states for documents, laws and journals. During the coming year we hope to list our collection of duplicate Massachusetts laws and resolves.

## CATALOGUE

Each line of work carried on year by year in the catalogue department has been pushed forward with some halts due to stress of reference work, and some delays due to changes in the staff. These may be taken for granted. An extra typist from July first to October bids fair to bring our accumulating card-work up to date for the close of the year. But it is evident that the third typist must be a permanency before that coveted goal can be accomplished. Typing is again accumulating and efficiency of the library must suffer.

But completed cards are filed to date. Current additions to the library are catalogued and represented in the catalogue by order card or shelf list until completed cards are ready.

Additions to the library of special note include the "Economic and Social History of the World War," French, Italian, etc., prepared by the Carnegie endowment for international peace; "The Medical Department of the United States Army in the World War," issued by the United States Surgeon General's office, of which there are to be many large volumes, eight have already appeared; Publications of the Kentucky Geological Survey; Congressional Committee Hearings on Important Matters; North American Wild Flowers, volumes 1 and 2, published by the Smithsonian Institution. The plates are reproductions of exquisite water-colors of the flowers as they grow. To be complete in 5 volumes: Birds of Massachusetts and other New England states, by Edward Howe Forbush, volume 1, published by Massachusetts Department of Agriculture.

We have accessioned a very interesting lot of departmental reports of the new



government of Northern Ireland. These include reports by its ministries of commerce, home affairs, labor, etc.

The want list for Rhode Island and Connecticut department reports has been made and deficiencies asked for, while reports not previously re-catalogued have been done at this time.

For purposes of exchange, 25 sets of Massachusetts Public Documents for 1922 and 1923 have been collected and bound—300 volumes in all.

A great need is felt in the library for a monthly checklist which would record all Massachusetts departmental publications. At present there is no method provided by which the library may know of the issuing of any publication other than the Public Document set. Oftentimes the existence of a certain bulletin is discovered only to find, upon application to the issuing department, that the edition has become exhausted. As a result considerable current material is being lost to the State Library.

It has been a great satisfaction to have the set of Australian parliamentary debates and documents used extensively by two different research workers. One of these was much pleased to find so fine a collection in Boston, and spent nearly a month over it. As our world grows smaller all countries come into the neighborhood.

In company with forty other libraries this library has taken the time of the staff to check the Union list of serials in the libraries of the United States and Canada issued by the H. W. Wilson Co. Letters N to Z, usually a pamphlet to a letter, were checked with our catalogues, and also the Provisional edition, for corrections and additions. The final list, when published, will be most valuable.

We have re-catalogued about 200 volumes of our large collection of individual biography and have completed all material on Washington and Webster with sets of their collected works. Whenever there were enough pamphlets on one topic to form a volume they were bound, resulting as follows:

- Washington, George, President United States. Pamphlets. 1832-1924.
- Washington, George, President United States. Inauguration pamphlets. 1789.
- Washington, George, President United States. Monuments and statutes pamphlets. 1846-1885.
- Washington, George, President United States. Portraits. Pamphlets. 1882-1904.
- Webster biography. Pamphlets. 1831-1856.
- Webster statutes. Pamphlets. 1859-1900.
- Webster, Daniel. Speeches, addresses, etc. 1801-1852.
- Webster, Daniel. Speeches in Congress. 1824-1850.
- Eulogies on Webster. Pamphlets. 1852-1882.

With the five volumes of old academies, and a volume on "Boston harbor and land development pamphlets," there are 209 pamphlets bound in these volumes.

From December 1, 1925, to December 1, 1926, Library of Congress cards to the number of 32,923 have been filed in the Depository set. Since June first, an average of three thousand cards have been filed each month, keeping the filing well up to date. Besides this, all revised cards received since September, 1925, have been filed, replacing the former cards.

Reports, bulletins, committee hearings and miscellaneous publications of the various departments of the federal government are received daily from the office of the Superintendent of Documents at Washington—averaging over 300 items, including both volumes and pamphlets, received each month.

The year's total of United States documents catalogued is 2,688 volumes, represented by 3,206 cards.

#### LEGISLATIVE REFERENCE

Our attendance in the legislative reference rooms for the period December, 1925, to November 30, 1926, is comparatively the same as last year, 1,734.

The number of telephone inquiries has somewhat increased, there being 612 calls in 1925-26 as compared with 484 during 1924-25.

The number of persons using the rooms during the legislative session, January to May, 1926, was 322.

## SUMMARY

Groups of books catalogued during the year for the new catalogue:

1. All current additions to the library and new continuations for the fiscal year. This includes current law books; current documents of Great Britain and her dependencies; current foreign documents and the general book and pamphlet collection.
2. United States history: Colonial and Constitutional periods; general description and travel; travel and exploration in the west, central and southern parts of the United States.
3. North American Indians, including Indian Wars and discovery and explorations of North America.
4. Books on land and the English land question; foreigners in the United States; crime.
5. Miscellaneous educational material, and a collection on local history.
6. Individual biography, alphabetically from Warren to "William the Silent," including the large collections concerning Washington and Webster, with 7 bound volumes of pamphlets upon them.
7. Boston harbor and land development pamphlets.
8. United States government publications, the continuations of those already re-catalogued and current publications, averaging over 300 items received each month.

Total of 13,318 volumes and pamphlets catalogued, represented by 19,703 cards which are supplemented by 1,948 analytics, in all 21,651 cards typed and filed during 1925-26.

*Tabulation*

Volumes and pamphlets catalogued by our new plan, Dec. 1, 1925	228,176
Volumes and pamphlets catalogued during the year	13,318
Total volumes and pamphlets catalogued, Dec. 1, 1926	241,494
Less volumes and pamphlets reduced by binding	144
Less volumes and pamphlets lost	2
Less volumes and pamphlets discarded	187
	333

Net volumes and pamphlets represented in the new catalogue, Dec. 1, 1926 241,161  
Represented by 357,031 cards.

EDWARD H. REDSTONE,  
*State Librarian.*

## COMMONWEALTH OF MASSACHUSETTS IN ACCOUNT WITH STATE LIBRARY

December 1, 1925, to November 30, 1926

*Receipts*

Amount drawn from appropriation of \$5,000 for librarian	\$5,000.00
Amount drawn from appropriation of \$31,300 for salaries of staff	30,202.03
Amount drawn from appropriation of \$14,250 for books and binding	13,071.24
Amount drawn from appropriation of \$3,000 for incidental expenses, including printing of annual report	1,779.39
Total	\$50,052.66

*Expenditures*

Salary of librarian	\$5,000.00
Salary of assistant librarian	\$2,220.00
Salary of legislative reference assistant	1,740.00
Salaries of 13 assistants	14,945.02
Salary of stack custodian	1,400.00
Salaries of 6 re-cataloguing assistants	7,700.00
Payment of temporary assistants	2,197.01
Purchase of books	\$10,479.42
Binding	2,591.82
	13,071.24
Annual report for 1924-25	\$40.67
Incidental expenses, including expressage, postage, stationery, supplies, etc.	1,738.72
	1,779.39
Total	\$50,052.66



## LIBRARY RULES

**In effect December 1, 1926**

1. The Librarian shall have charge of the library and of all the departments thereof, subject to the supervision of the Board of Trustees.

He shall have control over all employees and shall, from time to time, designate their duties.

He shall be responsible for the proper care and management of the library and shall, from time to time, report to the Trustees.

Either the Librarian or a competent assistant shall at all times be on duty in the library.

2. Users may not reserve tables in the library for a period of more than twenty-four hours.

3. Conversation in the library is prohibited.

4. If a user desires any book not in the library, he may write its full title, with name of publisher and date of publication if known to him, and give it to the Librarian.

5. Attendants must restore all books to the shelves at the close of each day.

6. Books withdrawn from stacks must be signed for at delivery desk.

7. Employees are not permitted to leave the library during working hours without first obtaining permission from the Librarian or assistant in charge.

8. Users are requested to report to the Librarian any inattention or misconduct on the part of any of the employees.

9. Smoking is not permitted in the library or in the stack rooms.

10. A complaint-book is provided in which suggestions may be entered, and prompt consideration will be given by the Trustees to all complaints and suggestions entered.

11. It is requested that users of the library shall refrain from removing their coats and appearing in shirt-sleeves in the main reading room.

12. No one shall use the library as an office or place of business.

13. Telephone calls will be delivered only in cases of emergency. The public telephone is located on the fourth floor.

# TABLE OF ACCESSIONS

## Books

	1913.	1914.	1915.	1916.	1917.	1918.	1919.	1920.	1921.	1922.	1923.	1924.	1925.	1926.
By purchase . . . . .	1,518	1,350	1,726	1,366	1,236	1,064	1,383	1,682	1,481	1,228	1,519	1,755	1,630	1,532
domestic exchange . . . . .	1,868	2,327	1,606	1,447	1,565	1,388	1,431	716	1,022	1,027	1,031	976	1,193	1,217
foreign exchange . . . . .	444	465	421	444	205	237	181	95	230	318	181	239	190	200
donation . . . . .	750	611	655	1,126	700	427	771	1,651	1,760	1,489	2,628	1,654	1,430	1,239
Massachusetts state publications . . . . .	362	475	265	624	705	459	421	416	739	579	379	393	506	349
Totals . . . . .	4,942	5,228	4,673	5,007	4,411	3,575	4,187	4,560	5,232	4,641	5,738	5,017	4,949	4,537

## PAMPHLETS

	1913.	1914.	1915.	1916.	1917.	1918.	1919.	1920.	1921.	1922.	1923.	1924.	1925.	1926.
By purchase . . . . .	486	590	232	245	342	234	176	735	1,056	389	372	306	431	496
domestic exchange . . . . .	2,939	3,207	1,972	1,710	1,460	1,878	1,426	499	662	619	705	1,427	1,532	1,154
foreign exchange . . . . .	575	246	195	141	148	434	195	68	110	120	135	119	173	86
donation . . . . .	1,211	1,742	1,172	1,580	1,603	639	1,408	3,260	3,141	2,739	9,318	3,161	3,219	3,946
Massachusetts state publications . . . . .	304	456	299	377	554	545	615	824	1,088	924	666	556	718	760
Totals . . . . .	5,515	6,241	3,870	4,053	4,107	3,730	3,820	5,386	6,057	4,791	11,196	5,569	6,073	6,442

Total volumes and pamphlets in library, November 30, 1926, 458,914.





